

House File 2146 - Introduced

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BY THOMPSON

A BILL FOR

1 An Act relating to the composition of the board of educational
2 examiners by including certain specified ex officio,
3 nonvoting members.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 272.3, Code 2022, is amended to read as
2 follows:

3 **272.3 Membership.**

4 1. The board of educational examiners consists of twelve
5 voting members and two ex officio, nonvoting members. Two
6 voting members must be members of the general public, one
7 voting member must be the director of the department of
8 education or the director's designee, and the remaining nine
9 voting members must be licensed practitioners. One of the
10 public members shall have served on a school board. The public
11 members shall never have held a practitioner's license, but
12 shall have a demonstrated interest in education. The nine
13 practitioners shall be selected from the following areas and
14 specialties of the teaching profession:

- 15 a. Elementary teachers.
- 16 b. Secondary teachers.
- 17 c. Special education or other similar teachers.
- 18 d. Counselors or other special purpose practitioners.
- 19 e. Administrators.
- 20 f. School service personnel.

21 2. A majority of the licensed practitioner members shall
22 be nonadministrative practitioners. Four of the licensed
23 practitioner members shall be administrators. Membership of
24 the board with respect to voting members shall comply with the
25 requirements of sections 69.16 and 69.16A. A quorum of the
26 board shall consist of six voting members. ~~Members~~ The voting
27 members shall elect a chairperson of the board. ~~Members,~~
28 except for the director of the department of education or the
29 director's designee, and the ex officio, nonvoting members
30 appointed pursuant to subsection 3, shall be appointed by the
31 governor subject to confirmation by the senate.

32 3. a. The president of the senate shall appoint one member
33 of the senate standing committee on education to be an ex
34 officio, nonvoting member of the board.

35 b. The speaker of the house of representatives shall appoint

1 one member of the house standing committee on education to be
2 an ex officio, nonvoting member of the board.

3 Sec. 2. Section 272.4, Code 2022, is amended to read as
4 follows:

5 **272.4 Terms of office.**

6 1. Members, except for the director of the department
7 of education or the director's designee, and the ex officio,
8 nonvoting members appointed pursuant to section 272.3,
9 subsection 3, shall be appointed to serve staggered terms of
10 four years. A voting member shall not serve more than two
11 consecutive terms, except for the director of the department
12 of education or the director's designee, who shall serve until
13 the director's term of office expires. A member of the board,
14 except for the two public members, and the director of the
15 department of education or the director's designee, and the ex
16 officio, nonvoting members appointed pursuant to section 272.3,
17 subsection 3, shall hold a valid practitioner's license during
18 the member's term of office. A vacancy exists when any of the
19 following occur:

20 a. A nonpublic voting member's license expires, is
21 suspended, or is revoked.

22 b. A nonpublic voting member retires or terminates
23 employment as a practitioner.

24 c. A member dies, resigns, is removed from office, or is
25 otherwise physically unable to perform the duties of office.

26 d. A member's term of office expires.

27 2. Terms of office for regular appointments of voting
28 members shall begin and end as provided in [section 69.19](#).

29 Terms of office for voting members appointed to fill vacancies
30 shall begin on the date of appointment and end as provided in
31 [section 69.19](#). ~~Members~~ Voting members may be removed for cause
32 by a state court with competent jurisdiction after notice and
33 opportunity for hearing. The board may remove a voting member
34 for three consecutive absences or for cause.

35 3. Ex officio, nonvoting members appointed pursuant to

1 section 272.3, subsection 3, shall be appointed to a term of
2 one year. The president of the senate or the speaker of the
3 house of representatives, as applicable, shall fill the vacancy
4 of an ex officio, nonvoting member in the same manner as the
5 original appointment.

6 EXPLANATION

7 The inclusion of this explanation does not constitute agreement with
8 the explanation's substance by the members of the general assembly.

9 This bill relates to the composition of the board of
10 educational examiners (BOEE) by including certain specified ex
11 officio, nonvoting members.

12 Current law provides that the BOEE consists of 12 members.
13 The bill adds two ex officio, nonvoting members to the BOEE.
14 The bill requires the president of the senate to appoint one
15 of the ex officio, nonvoting members from the senate standing
16 committee on education. The bill also requires the speaker
17 of the house of representatives to appoint the other ex
18 officio, nonvoting member from the house standing committee on
19 education. The bill provides that the ex officio, nonvoting
20 members serve a one-year term and authorizes the president of
21 the senate or the speaker of the house of representatives, as
22 applicable, to fill the vacancy of an ex officio, nonvoting
23 member in the same manner as the original appointment.

24 The bill makes conforming changes to Code section 272.3
25 (membership of the BOEE) and Code section 272.4 (terms of
26 office of members of the BOEE).